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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/741,008	12/21/2000	Robert G. Schaefer	PM 0272835	6665
7590	11/15/2005		EXAMINER GYORFI, THOMAS A	
KIRKPATRICK & LOCKHART LLP Stephen C. Glazier 1800 Massachusetts Avenue NW Suite 200 Washington, DC 20036-1221			ART UNIT	PAPER NUMBER
			2135	

DATE MAILED: 11/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/741,008

Applicant(s)

SCHAEFER ET AL.

Examiner

Tom Gyorfi

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 29 August 2005.  
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 66-101 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 66-101 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.  
10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.  
5) ☐ Notice of Informal Patent Application (PTO-152)  
6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

1. Claims 66-101 remain for examination. The correspondence filed 8/29/05 amended claims 66, 78, and 90.

### ***Continued Examination Under 37 CFR 1.114***

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 8/29/05 has been entered.

### ***Response to Arguments***

3. Applicant declares, "*Applicants note that the specification of U.S. Patent Application Publication 20020010867, which corresponds to the present application, is missing the claim to priority to U.S. Provisional Application 60/176,625, filed on January 19, 2000. In filing the present application on December 21, 2000, applicants requested an amendment to the specification of the application to include a claim to priority to U.S. Provisional Application 60/176,625. Specifically, an amendment to the specification to claim priority to U.S. Provisional Application 60/176,625 was included in the transmittal for the application. Applicants respectfully request that the Examiner confirm the claim to priority in the specification, and correct the present application if necessary.*" Examiner acknowledges that the facts stated by Applicant above are correct, and thanks Applicant for bringing this omission to the Office's attention. It has been determined that no corrective action need

be taken until such time as the instant application is found to be in condition for allowance, at which time the text of the resulting Patent document would include the specification as amended. It should also be noted that Patent Application Publication 2002/0010867 does correctly list the instant application's priority claim to Provisional Application 60/176,625 (see line item 63 on page 1).

4. Applicant's arguments filed 8/29/05 have been fully considered but they are not persuasive.

Applicant argues, *"In summary, Bennett discloses a peer-to-peer system including one or more direct, bi-lateral relationships between individual local computer systems and individual remote computer systems. In Bennett's system each individual local computer system must establish and maintain a separate and direct relationship with each individual remote computer system targeted for communication. Therefore, in Bennett, for N remote computer systems to be targeted for communication, each local computer system would be required to establish and maintain N relationships."* Examiner disagrees with Applicant's analysis of the Bennett invention. The dealer server (element 11 of Fig.1) contacts each of the remote databases on behalf of the operators of any of the terminals connected to it, including third party terminals (see col. 3, lines 60-67, and elements 13<sub>1</sub> to 13<sub>n</sub> of Figure 1). Thus, although the dealer system would necessarily require N connections to N remote databases, an operator of any the remote terminals needs only one connection to the dealer server to gain access to the information contained on all the disparate databases, as per the claims. Furthermore, Applicant appears to misunderstand the term "peer-to-peer" system as it is commonly understood in the art. Each database to be contacted by the dealer server is accessed by a WF server software object (col. 2, line 25; Figure 2) running on one or more

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physical servers (col. 5, line 53 – col. 6, line 18). The “peering” disclosed by Bennett simply refers to an arrangement wherein the multiple servers (e.g. server set A or server set B, see elements 40<sub>1</sub> to 40<sub>n</sub> of Figure 2) act in unison such that it is unimportant as to which particular server in a peered set is contacted by the dealer server; each server in a peer group is connected to the same particular database (col. 6, lines 19-28). There is absolutely no teaching in Bennett that any two servers or server sets are in direct contact with each other and can exchange pertinent information with each other independently of the dealer server as would be found in a true “peer-to-peer” network.

Applicant further argues, “*Additionally, Bennett teaches that a request is generated in response to a user input or event (see col. 5, lines 54-55). Bennett does not disclose or suggest a remote computer receiving a request from a plurality of incompatible applications.*” Examiner disagrees with this contention. As noted above, there exists embodiments of Bennett wherein remote computers are connected to the dealer server. Further, the clients are capable of running Java applications, including those created by any number of third parties (col. 4, lines 18-21; see also col. 3, lines 66-67). Additionally, Bennett teaches that besides auto dealerships, other institutions would have need of the disclosed invention (col. 7, lines 45-56), and that at least some of said institutions would logically need access to at least some databases in common (Ibid; compare with col. 5, lines 1-27).

### ***Claim Rejections - 35 USC § 102***

5. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

6. Claims 66-101 are rejected under 35 U.S.C. 102(e) as being anticipated by Bennett et al. (U.S. Patent 6,092,121).

Referring to Claims 66, 78 and 90:

Bennett disclose a method comprising:

(a) receiving, with a programmable computer, read data requests, write data requests, and requests to perform operations from a plurality of incompatible applications remote from said programmable computer (col.2, lines 5-45; col. 3, lines 60-65; col.5, lines 50-65), said incompatible applications comprising:

- (i) an insurance application (col.3, lines 30-45),
- (ii) a bank application (col.3, lines 30-45),
- (ii) a vehicle dealer application (col.3, lines 30-45), and
- (iii) a motor vehicle agency application (col.3, lines 30-45);

(b) transmitting, with a programmable computer, received requests to a plurality of incompatible databases remote from said programmable computer (Fig. 2), said incompatible databases comprising:

- (i) an insurance database (col.3, lines 30-45),
- (ii) a bank database (col.3, lines 30-45),
- (iii) a vehicle dealer database (col.3, lines 30-45), and
- (iv) a motor vehicle agency database (col.3, lines 30-45);

(c) receiving, with the programmable computer, data responses from the plurality of incompatible databases, the data responses corresponding to the transmitted requests from the plurality of incompatible applications (col.6, lines 20-65); and

(d) transmitting, with the programmable computer, the data responses to the plurality of incompatible applications, each data responses being transmitted in a format compatible with the application to which it is transmitted (col.2, lines 45-65).

Referring to Claims 67, 79 and 91:

Bennett discloses the limitation of Claims 66, 78 and 90 above. Bennett further discloses managing communications connections and request queues (col.6, lines 1-20).

Referring to Claims 68, 80 and 92:

Bennett discloses the limitation of Claims 66, 78 and 90 above. Bennett further discloses checking authorization of an application to make a request (col.4, lines 25-40).

Referring to Claims 69, 81 and 93:

Bennett discloses the limitation of Claims 66, 78 and 90 above. Bennett further discloses generating an audit list of data requests for tracking transactions (col.4, lines 30-50).

Referring to Claims 70, 82 and 94:

Bennett discloses the limitation of Claims 66, 78 and 90 above. Bennett further discloses checking authorization of an application to receive a response (col.4, lines 25-50).

Referring to Claims 71, 83 and 95:

Bennett discloses the limitation of Claims 66, 78 and 90 above. Bennett further discloses employing an application interface specific to each of the plurality of incompatible applications (col.4, lines 10-30; col.5, lines 50-65).

Referring to Claims 72, 84 and 96:

Bennett discloses the limitation of Claims 66, 78 and 90 above. Bennett further discloses, wherein the step of receiving data responses comprises employing software components for allowing databases to access other databases (col.4, lines 10-25).

Referring to Claims 73, 85 and 97:

Bennett discloses the limitation of Claims 66, 78 and 90 above. Bennett further discloses, wherein data responses are received from interfaces specific to the incompatible databases, the interfaces extracting data from appropriate files and fields in the databases and mapping and performing stored procedures upon the extracted data to provide responses to requests (col.6, line 60-col.7, line 30).



Referring to Claims 74, 86 and 98:

Bennett discloses the limitation of Claims 66, 78 and 90 above. Bennett further discloses monitoring all received requests and all data responses to identify any request or response that constitutes an application trigger and for generating an appropriate application trigger message to activate an appropriate application in response to an application trigger (col.7, lines 15-40).

Referring to Claim 75, 87 and 99:

Bennett discloses the limitation of Claims 66, 78 and 90 above. Bennett further discloses, wherein the requests and data responses are transmitted electronically using at least one of: the Internet, leased telephone lines, wireless communication, local area networks, wide-area networks, dial-up, a combination of telecommunication links, satellite communication, and exchange of removable media (Fig. 1; col.3, lines 45-66).

Referring to Claim 76, 88 and 100:

Bennett discloses the limitation of Claims 66, 78 and 90 above. Bennett further discloses, wherein said incompatible applications further comprise one or more of: after market store applications, salvage company applications, supplier company applications, car company applications, retailer applications, consumer applications, internet-based applications, auction house applications, automotive broker applications, collision repair applications, and information broker company applications (col.7, lines 45-55).

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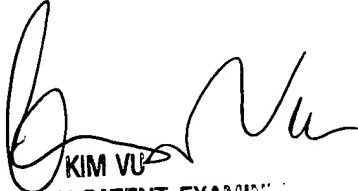
Referring to Claims 77, 89 and 101:

Bennett discloses the limitation of Claims 66, 78 and 90 above. Bennett further discloses, wherein said incompatible databases further comprise one or more of: after market store databases, salvage company databases, supplier company databases, car company databases, retailer databases, consumer databases, internet-based databases, auction house databases, automotive broker databases, collision repair databases, and information broker company databases (col.3, lines 25-40, col.7, lines 45-44).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tom Gyorfi whose telephone number is (571) 272-3849. The examiner can normally be reached on 8:30am - 5:00pm Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached on (571) 272-3859. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

  
KIM VU  
PATENT EXAMINER  
TECHNOLOGY CENTER 2100